

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Gerald A. LAWSON

Defendant(s)

Case No.

2:18-mj-97

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2018 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. §§ 2(a) & 922(g)(1)

Offense Description

Aiding and abetting the possession of a firearm and/or ammunition by a prohibited person, in violation of Title 18, United States Code, Sections 2(a) and 922(g)(1).

This criminal complaint is based on these facts:

See Attachment A (affidavit), incorporated herein by reference.

☒ Continued on the attached sheet.



Complainant's signature

Teresa Petit, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

Feb. 12, 2018



Judge's signature

City and state:

Kimberly A. Tolson,

Printed name and title

US Magistrate Judge

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**ATTACHMENT A**

I, Teresa Petit, being duly sworn, depose and state that:

I have been a Special Agent (SA), with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since May of 2014. I am a graduate of the ATF National Academy Special Agent Basic Training Program and the Federal Law Enforcement Training Center, Criminal Investigator Training Program. As a result of my training and experience as an ATF Special Agent, I am familiar with Federal criminal laws pertaining to firearms violations. As a Special Agent, I am also authorized to carry firearms, execute warrants, make arrests for offenses against the United States, and perform other such duties as authorized by law.

1. This affidavit is made in support of a criminal complaint against Gerald A. LAWSON (DOB: 2/17/1987) for aiding and abetting a prohibited individual in possession of a firearm, in violation of Title 18, United States Code, Section 2(a), for the underlying crime of possession of a firearm and/or ammunition by a convicted felon, in violation of Title 18, United States Code, Section 922(g)(1). The statements in this affidavit are based upon my training and experience, consultation with other experienced investigators and agents, review of related documents, and other sources of information relative to firearms investigations. This affidavit is intended to set forth probable cause in support of the criminal complaint and does not purport to set forth all of my knowledge regarding this investigation. I did not, however, withhold any information or evidence that would negate probable cause.
2. On February 10, 2018, Westerville Police Officers Anthony Morelli and Eric Joering responded to the address of 312 Cross Wind Drive, Westerville, Ohio (in the Southern District of Ohio), for a disturbance call. Upon arriving at the location, both Officers Morelli and Joering were confronted by Quentin L. SMITH (DOB: 2/23/1987), who was armed with a Glock manufactured, model 27 Generation 4, .40 caliber, semi-automatic handgun, bearing serial number BBGF164. During the confrontation with SMITH, both Officer Morelli and Officer Joering sustained life threatening injuries, and both officers later succumbed to those injuries. SMITH was transported to a local hospital where he remains at this time.
3. Investigators recovered the aforementioned firearm from 312 Cross Wind Drive, Westerville, Ohio.
4. SMITH is prohibited from purchasing or possessing a firearm or ammunition under Title 18, United States Code, Section 922(g)(1). SMITH was convicted by the Cuyahoga County Court of Common Pleas for the offense of Burglary, case number CR-08-517866-A, a felony of the second degree with a firearm specification. SMITH was sentenced to the Ohio Department of Rehabilitation and Corrections for a two (2) year period of incarceration. The offense for which SMITH was convicted is punishable by imprisonment for a term exceeding one year.
5. On February 10, 2018, an undisclosed witness stated that SMITH provided LAWSON with the money to purchase the Glock firearm, bearing serial number BBGF164, and an additional \$100 for completing the transaction. Additionally, the witness stated the firearm was purchased from a federally licensed firearms dealer (FFL) located in the area of Cleveland, Ohio, on Northfield Road. Specifically the witness could not recall the full name of the FFL but stated it was "something Gun and Tackle." That witness also stated LAWSON knew that SMITH could not lawfully purchase or possess a firearm, further stating that LAWSON visited SMITH while he was in custody.



6. In my training and experience, it is common for individuals who are prohibited from purchasing or possessing a firearm to use a straw purchaser to complete the retail transaction on their behalf or to acquire firearms from other unlicensed individuals. It is also common for straw purchasers to receive a benefit of some type, in this situation, a monetary benefit, to assume the risk of purchasing the firearm. More specifically a "straw" purchase is described as the acquisition of a firearm(s) from a dealer by an individual (the "straw"), done for the purpose of concealing the identity of the true intended receiver of the firearm(s).
7. Investigators learned that LAWSON and SMITH have a long history of friendship. A review of LAWSON's social media account after the incident on February 10, 2018, revealed a post by LAWSON displaying three (3) photographs containing both individuals together. The comment by LAWSON associated with the post also referenced the long-standing friendship between the two. Prior to the post being deleted from LAWSON's social media account, I was able to capture screenshot images of the post.
8. On February 11, 2018, I conducted a query of the National Crime Information Center (NCIC) to determine if the firearm was reported stolen. There was no record of the serial number located and, therefore, it is believed that the firearm was not reported to be stolen.
9. On February 11, 2018, ATF SA James Bajus determined, based on the description of the Glock manufactured, model 27 Generation 4, .40 caliber, semi-automatic pistol, bearing serial number BBGF164, that the firearm was not manufactured in the State of Ohio and would have affected interstate and/or foreign commerce to arrive in Ohio.
10. On February 12, 2018, ATF received the firearm trace results from the National Tracing Center. Those results indicated that on May 18, 2017, the aforementioned firearm was purchased by LAWSON from an FFL registered in the name of Semi-Arms, Inc., doing business as Stonewall Gun Shop and Range, located at 100 Ken-Mar Industrial Parkway, Broadview Heights, Ohio 44147. The ATF Firearms Transaction Record contains LAWSON's identifying information, the documented firearm, and his signature.
11. LAWSON is further described as a male, black, date of birth February 17, 1987, 6'2" tall, 180 pounds, with a last known address of 4653 Walford Road Apartment 16, Warrensville Heights, OH, 44128.
12. Based upon the aforementioned information and events, and your affiant's training and experience in dealing with Federal firearms violations, your affiant believes that probable cause exists to believe that on or before February 10, 2018, Gerald A. LAWSON knew or had cause to know that SMITH was a prohibited person and did aid and abet Quentin L. SMITH by providing a previously convicted felon a firearm which was not manufactured in the State of Ohio and therefore travelled in and/or affected interstate commerce, in violation of Title 18, United States Code, Section 2(a), for an underlying violation of Title 18, United States Code, Section 922(g)(1).

AO 91 (Rev. 11/11) Criminal Complaint

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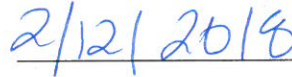
Teresa Petit, ATF Special Agent

Sworn to before me and signed in my presence.



Kimberly A. Jolson

U.S. Magistrate Judge



Date